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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

vs.

Martha Pedraza-Zamora,

Defendant.

Case No: 2:19-cr-00133-APG-MDC

**Stipulation to Continue Response Date
(First request)**

It is hereby stipulated and agreed, by and between Jason M. Frierson, United States Attorney and Melanee Smith, Assistant United States Attorney, counsel for the United States of America; and Andrew M. Leavitt, Esq., counsel for defendant Martha Pedraza-Zamora, that the government shall have up to and including September 23, 2024 to file its response to defendant's Motion to Dismiss (ECF No. 494) and the defendant shall have up to and including September 30, 2024 to file its reply.

This stipulation is entered into for the following reasons:

1. Counsel for the government will be out of the jurisdiction September 4, 2024, through September 13, 2024.

2. Counsel for the government was assigned to this case years after it was indicted and needs additional time to learn the circumstances for the delay in taking the defendant into custody.

3. Defendant is out of custody and agrees to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the first request for a continuance of motion deadlines.

DATED this 28th day of August 2024.

JASON M. FRIERSON
United States Attorney

/s/ Melanee Smith
Melanee Smith
Assistant United States Attorney

/s/ Andrew M. Leavitt
Andrew M. Leavitt, Esq.
Counsel for Defendant

**UNITED STATES DISTRICT COURT
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United States of America,

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vs.

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**ORDER TO CONTINUE MOTION
RESPONSE DEADLINE (First Request)**

I. Findings of Fact

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the government will be out of the jurisdiction September 4, 2024, through September 13, 2024.

2. Counsel for the government was assigned to this case years after it was indicted and needs additional time to learn the circumstances for the delay in taking the defendant into custody.

3. Defendant is out of custody and agrees to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the first request for a continuance of motion deadlines.

1 For all of the above-stated reasons, the end of justice would best be served by a
2 continuance of the motion deadlines.

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4 **II. Order**

5 IT IS ORDERED that government shall have up to and including September 23, 2024
6 to file its response to defendant's Motion to Dismiss (ECF No. 494), and defendant shall
7 have up to and including September 30, 2024 to file its reply.

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9 IT IS SO ORDERED because of the October 15, 2024, Calendar Call and October 21,
10 2024, Trial, no further extensions will be granted absent extraordinary circumstances.

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14 UNITED STATES MAGISTRATE JUDGE

15 DATED: 9/3/24
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